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6 **IN THE UNITED STATES DISTRICT COURT**

7 **FOR THE TERRITORY OF GUAM**

9 UNITED STATES OF AMERICA,

CRIMINAL CASE NO. 06-00052

10 Plaintiff,

**ORDER**

11 vs.

12 MICHAEL MERRELL,

13 Defendant.  
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16 Whereas, the Stipulation to Continue Trial was filed on February 7, 2007.

17 Whereas, the Court having reviewed the record of the proceedings and papers filed herein,  
18 and being fully apprised in the premises, NOW THEREFORE,

19 **IT IS HEREBY ORDERED** that the stipulation to continue trial is hereby granted. The  
20 trial hearing previously set for February 7, 2007 at 9:30 a.m. shall be continued to February 28,  
21 2007 at 9:00 a.m. Because the parties have entered into a plea agreement in Magistrate Case  
22 No. 07-00009 which will eventually dispose of the criminal charges in the case herein, the court  
23 finds that the ends of justice served by the granting of such continuance outweigh the best  
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1 interests of the public and the defendant in a speedy trial. Accordingly, the period of time  
2 between February 7, 2007, to February 28, 2007, inclusive, is hereby excluded from the speedy  
3 trial calculations.

4  
5 Dated: February 9, 2007



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8 /s/ **Hon. Frances M. Tydingco-Gatewood**  
9 **Chief Judge**